Filed 07/07/2008 Page/66 2

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK EMILIO NOBLE,

Plaintiff,

STIPULATION

-vs-

07 Civ. 5832 (KMK) (GAY)

ECF Case

Defendant.

CAREER EDUCATION CORPORATION,

THE PARTIES HEREBY STIPULATE that the statute of limitations and/or deadline for the filing of plaintiffs' amended complaint to formally plead his Title VII claim is tolled as of June 24, 2008, the date plaintiff served his motion to amend. Defendants are not waiving their right to challenge the timeliness of the Complaint in any subsequent motion.

July 1, 2008 Dated:

> USDS SDNY **DOCUMENT ELECTRONICALLY FILED** DATE FILED:

DATED: 7/2/08

BERGSTEIN & ULLRICH, LLP 15 Railroad Avenue Chester, New York 10918 (845) 469-1277 Counsel for plaintiff

MORGAN, LEWIS & BOCKIUS, LLP 77 West Wacker Drive Chicago, Ill. 60601 (312) 324-1000 Counsel for defendant